

U.S. DEPARTMENT OF COMMERCE
PATENT AND TRADEMARK OFFICE

REQUEST FOR CONTINUED EXAMINATION (RCE) TRANSMITTAL FORM (37 C.F.R. § 1.114)

| | | | |
|-----------------------|--------------------------------------|-------------------------|------------------|
| DOCKET NO. 13758/1 | APPLICATION SERIAL NO. 10/581,516 | EXAMINER S. MACAULEY | ART UNIT 1651 |
|-----------------------|--------------------------------------|-------------------------|------------------|

INVENTOR: P. LAVERMICOCCA et al.

Address to:
Mail Stop RCE
Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

I hereby certify that this correspondence is being electronically transmitted to the United States Patent and Trademark Office via the Office electronic filing system on **February 9, 2010**.
Signature: /Helen Tam/
Helen Tam

This is a **Request for Continued Examination** under 37 C.F.R. § 1.114 (RCE) of pending application Serial No. 10/581,516, filed on December 13, 2006 entitled **TABLE OLIVES CONTAINING PROBIOTIC MICROORGANISMS**.

The following constitute the submission **required** by 37 C.F.R. § 1.114(a) and is attached:

☒ **X** Amendment
☐ Information Disclosure Statement and Form PTO-1449
☐ Drawing Changes
☐ Other Submission: _____

- The filing fee for this RCE and the required amendment/submission is calculated below. The fee below is calculated based on the status of the claims after the entry of the attached amendment/submission. The fee for any new additional claims is included with this RCE, the fee for previously entered additional claims having already been paid.

| | CLAIMS REMAINING AFTER AMENDMENT | MINUS | HIGHEST NUMBER PREVIOUSLY PAID FOR | PRESENT NUMBER EXTRA* | RATE (\$) PER CLAIM | FEE (\$) |
|--|--|-------|---|---|------------------------|-----------------------|
| BASIC FEE | | | | | | 810.00 |
| TOTAL CLAIMS | 6 | - | 20 | 0 | 52.00 | 0.00 |
| INDEPENDENT CLAIMS | 3 | - | 3 | 0 | 220.00 | 0.00 |
| MULTIPLE DEPENDENT CLAIM | | | | | 390.00 | |
| | | | | *Number extra must be zero or larger | TOTAL | 810.00 |
| If Applicant is a small entity under 37 C.F.R. §§ 1.9 and 1.27, then divide total fee by 2, and enter amount here. | | | | | | SMALL ENTITY TOTAL |

2. The required RCE and submission filing fee of **\$810.00** is being paid by credit card.
3. The Commissioner is hereby authorized to charge payment of the fees, including any additional fees required, associated with this communication or arising during the pendency of this application, or to credit any overpayment, to the deposit account of **Kenyon & Kenyon LLP**, deposit account number **11-0600**.

Respectfully submitted,

Dated: February 9, 2010

By: /Carmella L. Stephens/
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